

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**KIMBERLY CUTONE and ANTHONY
CUTONE,**

Plaintiffs,

v.

ELI LILLY AND COMPANY,

Defendant.

CIVIL ACTION No. 04-12725-JLT

ORDER

UPON CONSIDERATION of the parties Consent Motion for Leave to Amend Complaint and to Amend the Scheduling Order and good cause having been shown, it is this 28th day of Nov., 2005,

ORDERED, the parties Motion be, and hereby is GRANTED, and it is,

FURTHER ORDERED, that Plaintiff's Amended Complaint be deemed filed as of the date of the signing of this ORDER, and it is,

FURTHER ORDERED, the previously entered August 15, 2005 Scheduling Order be amended as follows:

1. Plaintiff may depose (1) Louis Weinstein, M.D., (2) Richard E. Blackwell, Ph.D., M.D., (3) Karin E. Michels, M.D., and (4) Kenneth Mundt, M.D.; (5) Edith Port; (6) Freeman Port.

2. Defendant Eli Lilly and Company may depose (1) Kimberly Cutone, (2) Anthony Cutone, (3) Virginia Machado Camporesi, (4) Philip McGovern, M.D. (5) Francis H. Boudreau, M.D., (6) Emilie Hiltron, (7) Selwyn Oskowitz, M.D. (8) Suseela

Doss, M.D., (9) Harris Busch, M.D. (10) Richard J. Falk, M.D., (11) Brian Strom, M.D., M.P.H., (12) Harold B. Sparr, R.Ph., M.S., (13) James P. DellaVolpe, (14) Cindy Kobelin, M.D., and (15) Bruce Cohen, M.D.; (16) Elizabeth Keller, M.D. and (17) Nancy Kamil.

3. Plaintiffs shall file any supplemental 26(A)(2) Disclosure within 30 days after the signing of this Order. Defendant Eli Lilly & Company shall file a supplemental 26(A)(2) Disclosure within 60 days of the signing of this Order.

4. No additional Discovery will be permitted without leave of this court;

5. All discovery shall be completed by March 30, 2006;

6. Dispositive motions shall be filed by May 1, 2006; and

7. A Further Conference is scheduled as set by the Court after the close of discovery pursuant to the Court's schedule.

IT IS SO ORDERED.

*F/C is SET FOR
APRIL 10, 2006 @ 10:00 am.*

*By THE COURT
Zita Loned*

Hon. Joseph L. Tauro, U.S.D.J.

Deputy Clerk